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Serial No.: 10/717,410

AUG 2 9 2005

REMARKS

The election of Group I, Claims 1-16 and 66-68 is made with traverse to the Restriction Requirement.

The Applicant respectfully submits that search and examination of the pending claims in at least Groups I (claims 1-16 and 66-68) and II (claims 17-24) in the application can be made without undue burden on the Examiner. According to MPEP §803 "if search and examination of an entire application can be made without serious burden, the examiner <u>must</u> examine it on the merits" (emphasis added). For at least this reason, the Restriction Requirement is improper and should be withdrawn. In making the provisional election of Group I, Applicant retains the right to petition from the requirement under 37 C.F.R. §1.144. Applicant respectfully requests the Examiner to reconsider and withdraw the restrictions requirement and proceed with the prosecution on the merits of all of the presently pending claims.

The election of Fig. 4 of the Species I of fluid controllers is made with traverse, as Applicant respectfully submits that the fluid controllers in all of Figs 1-4 can be searched and examined without any burden on the Examiner. For at least this reason, the restriction requirement is improper and withdrawal of the restriction requirement is respectfully requested.

The election of Figs. 13A-13H of Species II of bladder shaping means is made with traverse, as all of the Figs. 11A-11D, 12A, 13A-13H and 15 are directed to the same embodiment of a travel pillow. The election amongst these figures is dividing up various figures of the same embodiment and makes no sense. For at least this reason, the restriction requirement is improper and withdrawal of the restriction requirement is respectfully requested.

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CONCLUSION

Having made this election, the Applicant expressly reserves the right to file one or more divisional applications on the subject matter of the non-elected claims.

Favorable action is hereby earnestly solicited. Should any questions arise concerning the foregoing, please contact the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted, Robert B. Chaffee, Applicant

By:

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